

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

**IN RE: ETHICON, INC. PELVIC
REPAIR SYSTEM PRODUCTS LIABILITY
LITIGATION**

**THIS DOCUMENT RELATES TO WAVE 6
CASES AND PLAINTIFFS**

**Master File No. 2:12-MD-02327
MDL No. 2327**

**JOSEPH R. GOODWIN
U.S. DISTRICT JUDGE**

**JOINT MOTION TO TAKE DEPOSITION OF
DR. ZIPPER AFTER DISCOVERY IS CLOSED**

Plaintiffs and Defendants, Ethicon, Inc. and Johnson & Johnson (collectively, “Ethicon”), move to take the deposition of Dr. Ralph Zipper, the general causation expert for Plaintiffs, on October 27, 2017, which is four weeks after the close of discovery. In support of this motion, the parties state:

1. In early August 2017, defense counsel Barry Koopman requested a date for the deposition of Dr. Ralph Zipper, who has been designated as a general causation expert for Plaintiffs.
2. Plaintiffs’ counsel, Rene Baggett, diligently worked to obtain deposition dates of Dr. Zipper before the September 25, 2017, discovery cut-off.
3. Despite good faith efforts by all parties to schedule Dr. Zipper’s deposition within the discovery period, the parties were unable to do so because of scheduling issues involving Dr. Zipper. Also, Dr. Zipper lives and practices in Florida and his deposition could not be taken in September due to Hurricane Irma and its aftermath.
4. The earliest time that Dr. Zipper is available for deposition is October 27, 2017.

5. The parties request that this Court allow the deposition of Dr. Zipper on October 27, 2017.

6. Because this motion is self-explanatory, the parties request to be relieved from submitting a supporting memorandum.

WHEREFORE, the parties request that the Court grant their unopposed motion to take the deposition of Dr. Zipper on October 27, 2017.

Respectfully submitted,

/s/ Barry J. Koopmann

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CERTIFICATE OF SERVICE

I hereby certify that on September 22, 2017, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to CM/ECF participants registered to receive service in this MDL.

/s/Christy D. Jones

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